

It was alleged in substance in the libels that the article was misbranded in that its package or label bore and contained the above-quoted false and fraudulent statements regarding the curative or therapeutic effect of said article.

On November 15, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9279. Misbranding of Kellogg's Sanitone Wafers. U. S. * * * v. 2 Dozen Packages of Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13341. I. S. No. 3031-t. S. No. C-2109.)

On August 16, 1920, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen packages of Kellogg's Sanitone Wafers, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the F. J. Kellogg Co., Battle Creek, Mich., on or about November 15, 1919, and transported from the State of Michigan into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "The Uses Of Chromium Sulphate in Medicine. * * * We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. * * * cystitis * * * prostatic enlargements * * * uterine fibroid tumors * * * Herpes preputialis * * * Cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, * * * neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt [chromium sulphate] are speedy and striking. In * * * neurasthenia it deserves the unique position of being the only drug which is curative, * * * Locomotor ataxia is curable with chromium sulphate. * * * Wafers have Chromium Sulphate as their chief ingredient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the wafers consisted essentially of salts of iron and chromium, capsicum, a laxative plant drug, and a trace of strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 25, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9280. Misbranding of Nerv-Mintz. U. S. * * * v. Nerv-Mintz (One Dozen Packages). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13495. I. S. No. 3029-t. S. No. C-2136.)

On August 27, 1920, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one dozen packages of Nerv-Mintz, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about March 8, 1920, and transported from the State of West Virginia into the State of Ten-